

**State of California
Office of Administrative Law**

In re:
State Water Resources Control Board

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Regulatory Action:

Government Code Section 11353

Title 23, California Code of Regulations

OAL File No. 2012-1003-02 S

Adopt sections: 3969.3

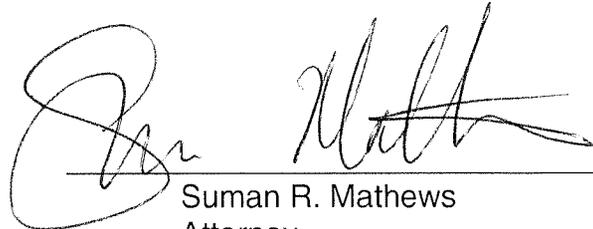
Amend sections:

Repeal sections:

In this regulatory action, the State Water Resources Control Board proposes to update and revise parts of the Water Quality Control Plan for the Colorado River Basin Regional Water Quality Control Board that are outdated or incorrect due to new or amended laws, policies, technologies, water quality conditions, or Regional Water Board priorities. This amendment also proposes to correct language, which is vague and unclear, or which may be confusing to the regulated community.

OAL approves this regulatory action pursuant to section 11353 of the Government Code.

Date: 11/13/2012



Suman R. Mathews
Attorney

For: DEBRA M. CORNEZ
Director

Original: Thomas Howard
Copy: Thomas Vandenberg

STATE OF CALIFORNIA OFFICE OF ADMINISTRATIVE LAW
REGULAR
NOTICE PUBLICATION/REGULATIONS SUBMISSION

11353 (See instructions on reverse)

For use by Secretary of State only

STD. 400 (REV. 01-09)

OAL FILE NUMBERS	NOTICE FILE NUMBER Z-	REGULATORY ACTION NUMBER 2012-1005-15	EMERGENCY NUMBER
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RECORDED FILED
IN THE OFFICE OF

2012 NOV 13 PM 2:01

For use by Office of Administrative Law (OAL) only	
2012 OCT -3 P 2:37 OFFICE OF ADMINISTRATIVE LAW	2012 NOV 13 PM 2:01 J. EDWARD OWEN SECRETARY OF STATE
NOTICE	REGULATIONS

AGENCY WITH RULEMAKING AUTHORITY State Water Resources Control Board (SWRCB)	AGENCY FILE NUMBER (if any) 2011-0063
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A. PUBLICATION OF NOTICE (Complete for publication in Notice Register)

1. SUBJECT OF NOTICE	TITLE(S)	FIRST SECTION AFFECTED	2. REQUESTED PUBLICATION DATE
3. NOTICE TYPE <input type="checkbox"/> Notice re Proposed Regulatory Action <input type="checkbox"/> Other	4. AGENCY CONTACT PERSON	TELEPHONE NUMBER	FAX NUMBER (Optional)
OAL USE ONLY <input type="checkbox"/> Approved as Submitted <input type="checkbox"/> Approved as Modified <input type="checkbox"/> Disapproved/Withdrawn	ACTION ON PROPOSED NOTICE	NOTICE REGISTER NUMBER	PUBLICATION DATE

B. SUBMISSION OF REGULATIONS (Complete when submitting regulations)

1a. SUBJECT OF REGULATION(S) Col. River Water Bd. Correction/Update of Basin Plan	1b. ALL PREVIOUS RELATED OAL REGULATORY ACTION NUMBER(S)
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2. SPECIFY CALIFORNIA CODE OF REGULATIONS TITLE(S) AND SECTION(S) (Including title 26, if toxics related)	
SECTION(S) AFFECTED (List all section number(s) individually. Attach additional sheet if needed.)	ADOPT 3969.3 per agency request AMEND 3960 REPEAL
TITLE(S) 23	

3. TYPE OF FILING			
<input type="checkbox"/> Regular Rulemaking (Gov. Code §11346)	<input type="checkbox"/> Certificate of Compliance: The agency officer named below certifies that this agency complied with the provisions of Gov. Code §§11346.2-11347.3 either before the emergency regulation was adopted or within the time period required by statute.	<input type="checkbox"/> Emergency Readopt (Gov. Code, §11346.1(h))	<input type="checkbox"/> Changes Without Regulatory Effect (Cal. Code Regs., title 1, §100)
<input type="checkbox"/> Resubmittal of disapproved or withdrawn nonemergency filing (Gov. Code §§11349.3, 11349.4)	<input type="checkbox"/> Resubmittal of disapproved or withdrawn emergency filing (Gov. Code, §11346.1)	<input type="checkbox"/> File & Print	<input type="checkbox"/> Print Only
<input type="checkbox"/> Emergency (Gov. Code, §11346.1(b))		<input checked="" type="checkbox"/> Other (Specify) <u>Gov. Code section 11353</u>	

4. ALL BEGINNING AND ENDING DATES OF AVAILABILITY OF MODIFIED REGULATIONS AND/OR MATERIAL ADDED TO THE RULEMAKING FILE (Cal. Code Regs. title 1, §44 and Gov. Code §11347.1)

5. EFFECTIVE DATE OF CHANGES (Gov. Code, §§ 11343.4, 11346.1(d); Cal. Code Regs., title 1, §100)			
<input type="checkbox"/> Effective 30th day after filing with Secretary of State	<input type="checkbox"/> Effective on filing with Secretary of State	<input type="checkbox"/> §100 Changes Without Regulatory Effect	<input checked="" type="checkbox"/> Effective other (Specify) <u>Upon Approval (Gov. Code 11353)</u>

6. CHECK IF THESE REGULATIONS REQUIRE NOTICE TO, OR REVIEW, CONSULTATION, APPROVAL OR CONCURRENCE BY, ANOTHER AGENCY OR ENTITY			
<input type="checkbox"/> Department of Finance (Form STD. 399) (SAM §6660)	<input type="checkbox"/> Fair Political Practices Commission	<input type="checkbox"/> State Fire Marshal	
<input type="checkbox"/> Other (Specify)			

7. CONTACT PERSON Thomas A. Vandenberg	TELEPHONE NUMBER (916) 341-5195	FAX NUMBER (Optional)	E-MAIL ADDRESS (Optional) tvandenberg@waterboards.ca.gov
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8. I certify that the attached copy of the regulation(s) is a true and correct copy of the regulation(s) identified on this form, that the information specified on this form is true and correct, and that I am the head of the agency taking this action, or a designee of the head of the agency, and am authorized to make this certification.

SIGNATURE OF AGENCY HEAD OR DESIGNEE <i>Victoria A. Whitney</i>	DATE September 25, 2012
TYPED NAME AND TITLE OF SIGNATORY Victoria A. Whitney, Deputy Director, Div. of Water Quality, SWRCB	

For use by Office of Administrative Law (OAL) only

ENDORSED APPROVED

NOV 13 2012

Office of Administrative Law

Concise Summary of Regulatory Provisions

TITLE 23. Waters

Division 4. Regional Water Quality Control Boards

Chapter 1. Water Quality Control Plans, Policies, and Guidelines

Article 7. Colorado River Basin Region

The following section 3969.3 is to be adopted in Title 23 of the California Code of Regulations:

Section 3969.3. Amendment to the Water Quality Control Plan for the Colorado River Basin Region to Correct or Update Language, Tables, and Figures.

On January 20, 2011, the Regional Water Quality Control Board, Colorado River Basin Region (Colorado River Basin Water Board), adopted Resolution No. R7-2011-0015, amending the Water Quality Control Plan for the Colorado River Basin Region (Basin Plan). On December 6, 2011, the State Water Resources Control Board (State Water Board) approved the amendment pursuant to Resolution No. 2011-0063.

Resolution No. R7-2011-0015 amends the Basin Plan by updating outdated information, figures, and water quality objective tables; correcting typographical errors; clarifying ambiguities; and making the Basin Plan consistent with laws and regulations that took effect after 1994 when the last Basin Plan update was formally approved by the State Water Board and the Office of Administrative Law.

Both the Colorado River Basin Water Board and the State Water Board determined that the Basin Plan amendment would not have a significant effect on the environment.